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August 7, 2020

Mark A. Calabria
Director
Federal Housing Finance Agency
400 7th Street, SW
Washington, D.C. 20219

Dear Director Calabria,

I am writing to request you take action to provide relief to students currently trapped in leases in FHFA backed properties for housing they are unable to use due to the COVID-19 pandemic. I applaud actions you have taken to provide mortgage forbearance on the condition of rental eviction relief and ask you take similar action to protect students.

The pandemic has created conditions that continue to cause economic and physical harm throughout the country. I have been informed of instances of housing entities forcing students to pay for student housing despite in-person classes being canceled and the student not living in the property. The students are unable to meet conditions of early termination, such as finding a replacement tenant. While this situation raises legal questions regarding a 'frustration of purpose' of the contracts, I believe it will be most expedient for FHFA to act now to offer forbearance or other appropriate incentives to these properties on the condition of canceling untenable student lease agreements.

According to Fannie Mae, they have financed over \$11 billion of student housing, this includes Student Housing properties where greater than 40 percent of the units are leased to undergraduate or graduate students. As well as Dedicated Student Housing properties near campus or university owned land or transportation lines, where 80 percent or more units are leased to undergraduate or graduate students. I ask that you carefully consider a program to incentivize these properties to help students who are paying for housing they are not using.

It is an urgent public health matter to ensure that students can live safely without experiencing added economic harm from taking appropriate actions to protect themselves. Forcing students to continue leases in shared housing facilities creates a dangerous incentive that could have the unintended consequence of furthering outbreaks of COVID-19.

I appreciate your timely consideration of this matter – students desperately need financial certainty as the fall semester begins.

Sincerely,



Raúl M. Grijalva
Member of Congress